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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/079,674	02/19/2002	Maurizio Pili	30012964-2	8655

7590

03/11/2004

HEWLETT-PACKARD COMPANY
Intellectual Property Administration
P.O. Box 272400
Fort Collins, CO 80527-2400

EXAMINER

MENDOZA, ROBERT J

ART UNIT	PAPER NUMBER
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3713

DATE MAILED: 03/11/2004

3

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/079,674

Applicant(s)

PILU, MAURIZIO

Examiner

Robert J Mendoza

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-26 is/are pending in the application.
- 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) ____ is/are allowed.
- 6) ☒ Claim(s) 1-26 is/are rejected.
- 7) ☐ Claim(s) ____ is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on ____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. ____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. ____. |
| 2) <input type="checkbox"/> Notice of Draftperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date <u>2</u> . | 6) <input type="checkbox"/> Other: ____. |

DETAILED ACTION

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 1-26 are rejected under 35 U.S.C. 102(b) as being anticipated by Sitrick (USPN 5,830,065).

Sitrick, in FIGS. 1-5, col. 7:11-62, col. 8:1-67 and col. 26:42-65, discloses a system for displaying a user's personal digital photographic images, the system comprising a combination of a gaming console for playing a video game; the gaming console including a communicators means for connecting the gaming console to a wide area network; a domestic visual display unit for displaying the video game to the user when connected with the console, and a permanent data store connected to the wide area network, the permanent data store storing the user's digitized photographic image data and comprising transmission means for transmitting part or all of the user's digitized photographic image data to the gaming console, a portable digital data store including a viewing application program, the viewing application program comprising a communications program for receiving the user's digitized photographic image data from the permanent data store via the communications means and the wide area network, the viewing application program being arranged to configure the gaming console to display the digitized photographic image data on the domestic visual display unit when the user's digitized photographic image data has been received by the gaming console. Sitrick, in FIG. 4C, illustrates

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the domestic visual display unit comprises a television. Sitrick, in col. 9:1-23, col. 10:1-30, col. 11:41-67 and col. 12:11-67, discloses the viewing application program is arranged to enable multiple images of the digitized photographic image data to be displayed to the user simultaneously and a gaming controller of the gaming console is arranged to enable the user to navigate through the multiple images, the multiple images are in the form of thumbnail images, and the viewing application program comprises a plurality of user-selectable digital effects algorithms for altering the presentation of the user's digitized photographic image data on the domestic visual display unit. Sitrick, in col. 9:1-23, col. 10:1-30, col. 11:41-67 and col. 12:11-67, discloses the portable digital data store comprises a plurality of user-selectable viewing application programs, each program providing a different algorithm for displaying the user's digitized photographic image data in a different way on the domestic visual display unit, each program is arranged to provide a different photo enhancement of the user's digitized photographic image data, the communications program is arranged to transmit a user selection command to a remote party, and the gaming console comprises means for receiving and digitizing a user's voice into voice data and the communications program is arranged to transmit the voice data over the wide area network to a remote party. Sitrick, in col. 9:1-23, col. 10:1-30, col. 11:41-67, col. 12:11-67, col. 13:1-67 and col. 14:1-67, discloses the communications program is arranged to implement compression of data to be transmitted and decompression of data received via the communications means, the communications program comprises an applet for enabling two-way communications between the gaming console and the remote party, the applet is arranged to password protect access to part or all of the data to be transmitted by the communication means with the user inputting a password associated with the data to be

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transmitted, and the received data is password protected and the applet is arranged to enable access to part or all of the received data once the user has input a correct password associated with the received data. Sitrick, in col. 12:11-67, col. 13:1-67, col. 14:1-67 col. 15:1-67 and col. 16:1-67, discloses a further gaming console for playing a video game, the further gaming console including a communications means for connecting the further gaming console to the wide area network; a domestic visual display unit for displaying the video game to a remote party when connected with the console; and a portable digital data store including a viewing application program, the further viewing application program comprising a further communications program for receiving the user's digitized photographic image data from the permanent data store via the further communications means and the wide area network, the further viewing application program being arranged to configure the further gaming console to display the user's digitized photographic image data on the further domestic display when the user's digitized photographic image data as been received by the further gaming console. . Sitrick, in col. 12:11-67, col. 13:1-67, col. 14:1-67 col. 15:1-67, col. 16:1-67, col. 20:1-67 and col. 23:1-67, discloses the further gaming console comprises means for receiving and digitizing a third party voice into voice data and the further communications program is arranged to transmit the voice data over the wide area network to the user, the further communications program is arranged to implement compression of data to be transmitted and decompression of data received via the further communications means, the further communications program comprises an applet for enabling two-way communication between the further gaming console of the third party and the gaming console of the user, and the received data is password protected and the applet is arranged to

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enable access to part or all of the received data once the third party has input a correct password associated with the received data.


Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to R. Mendoza whose telephone number is (703) 305-7345. The examiner can normally be reached on Monday-Friday from 8:00am to 5:00pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Teresa Walberg, can be reached at (703) 308-1327. The USPTO official fax number is (703) 872-9306.

RM

RM
March 6, 2004


Teresa Walberg
Supervisory Patent Examiner
Group 3700